

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA

v.

Case No. 2:12-cr-12-11  
HON. R. ALLAN EDGAR

John Hoheneder III,

/

**ORDER APPROVING AND ADOPTING  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties, and no objections have been filed thereto within the time required by law.

THEREFORE, IT IS ORDERED that:

1. The Report and recommendation of the Magistrate filed 8/29/13 #325, is approved and adopted as the Opinion and Findings of this Court.
2. Defendant John Hoheneder III's plea of guilty to Count I of Third Superseding Felony Information: Conspiracy to Distribute and Possess with Intent to Distribute Heroin and a mixture or substance containing a detectable amount of cocaine base is accepted. Defendant John Hoheneder III is adjudicated guilty.
3. A decision of whether to accept the written plea agreement will be made at the time of sentencing after the Court has had the opportunity to review the Pre-sentence Investigation Report. See U.S.S.G. Ch. 6.

SO ORDERED.

Dated: 9/18/2013

/s/ R. Allan Edgar  
R. ALLAN EDGAR  
UNITED STATES DISTRICT JUDGE